

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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THE RED RIGHT HAND RIFLE SYNDICATE LLC,

Plaintiff,

22-CV-6505 (CJS)

vs

KYLE ARTHUR SOPKO, *et al.*,

ORDER

Defendants.

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On November 14, 2022, the Court received a copy of a complaint and a motion for leave to proceed *in forma pauperis* from an individual named Keenan Fisher, acting on behalf of Plaintiff, The Red Right Hand Rifle Syndicate LLC. Compl., Nov. 14, 2022, ECF No. 1; Mot., Nov. 14, 2022, ECF No. 2. Although Mr. Fisher has signed the verified complaint on behalf of the limited liability company plaintiff, he does not list himself as a plaintiff in this action. Neither is Mr. Fisher listed among the attorneys admitted to practice before this Court in the Court's electronic case filing system, or among the attorneys admitted to practice in the state of New York in the state's online attorney directory.

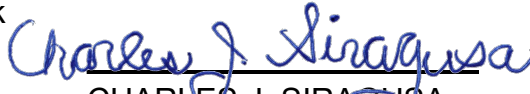
28 U.S.C. § 1654 provides that in all federal courts, "parties may plead and conduct their own cases personally or by counsel." However, the Second Circuit has concluded that "[t]he statute does not permit unlicensed laymen to represent anyone else other than themselves." *Berrios v. New York City Hous. Auth.*, 564 F.3d 130, 132 (2d Cir. 2009) (internal quotation marks and citation omitted). Thus, "a limited liability company . . . may appear in federal court only through a licensed attorney." *Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007).

Accordingly, the motion to proceed in forma pauperis [ECF No. 2] must be denied, and this action must be dismissed without prejudice to renewal after Plaintiff obtains a

licensed attorney to represent it. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and leave to appeal to the Court of Appeals as a poor person is denied. *Coppedge v. United States*, 369 U.S. 438 (1962). Further requests to proceed on appeal as a poor person should be directed, on motion, to the United States Court of Appeals for the Second Circuit, in accordance with Rule 24 of the Federal Rules of Appellate Procedure.

IT IS SO ORDERED.

DATED: December 13, 2022  
Rochester, New York

  
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CHARLES J. SIRAGUSA  
United States District Judge